

**Response to Comments on Initial Study/Mitigated Negative Declaration
Centerville Pioneer (PLN2017-00228)**

In accordance with the requirements of the California Environmental Quality Act (CEQA), the City of Fremont prepared an Initial Study/Mitigated Negative Declaration for the proposed project, which was circulated for a 20-day public review period beginning November 15, 2017, and ending December 4, 2017. Copies of the document were made available to public agencies, organizations, and individuals for their review and comment.

During the public review period, the City received the following comments:

Comments #1 – Dirk Lorenz (Email dated November 20, 2017)

Comments #2 – Alameda County Transportation Commission (Letter dated November 22, 2017)

Comments #3 – Fremont Unified School District (Letter dated November 29, 2017)

Comments #4 – Alameda County Water District (Letter dated December 4, 2017)

The comments and responses to the comments are provided on the following pages. Each comment is identified with a two part numbering system. The first number corresponds to the number assigned to the comment letter or email (as listed above). The second number corresponds to the order of the comment within that particular comment letter (or e-mail). For example, Comment 4-3 would refer to the fourth comment letter and the third comment in that letter.

Comments #1 – Dirk Lorenz (Email dated November 20, 2017)

From: Dirk Lorenz [mailto:dirk.lorenz@fremontflowers.com]

Sent: Saturday, November 18, 2017 2:14 PM

To: Bill Roth

Cc: Kathy Stahl Kimberlin; greg roth; Dominic Dutra

Subject: Centerville Pioneer (PLN2017-00228)

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Planner Roth,

I've received the public notice of intent to adopt a mitigated negative declaration for the above mentioned project.

As owner of the Depot Cafe located in the historic Centerville Train Depot and within 300 ft of the proposed site, I wish to go on record as supporting the Mitigated Negative Declaration. Having a long personal history with this site, I can say with all certainty that all due diligence has been performed with regard to the history of this site. I believe this is the highest and best use for the remaining parcel of land.

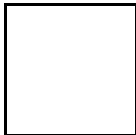
I would like to officially request that the historic Centerville Presbyterian Church steeple be used in way that would add uniqueness and a historical component to this project. Prior to the historic church being torn down, the original steeple was removed and has been stored awaiting restoration ever since. I have attached a picture of one of the restored sections of the steeple below.

I will do outreach to both HARB and the Planning Commission with regard to the placement of the historic Centerville Presbyterian Church Steeple within this development. It is my belief that we would honor our history by including the historic steeple within the project area, the site where it was originally constructed and resided for almost 150 years.

sincerely,

Dirk Lorenz

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Dirk Lorenz

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Response to Comment 1: The Initial Study/Mitigated Negative Declaration evaluates the potential environmental impacts of the project, including those related to historic resources, in accordance with the California Environmental Quality Act (CEQA) Guidelines. The proposed project has been designed to conform to the Secretary of Interior Standards for the Treatment of Historic Properties and, as such, would not have a significant impact to historic resources, including the Centerville Pioneer Cemetery.

The suggestion concerning the former Centerville Presbyterian Church steeple is noted. However, the re-introduction of the steeple to the project site is not included with the current project. Should the property owner wish to add the structure to the project site, its proposed placement would need to be evaluated for conformance to the Secretary of Interior's Standards. As this comment does not address the adequacy or the accuracy of the Initial Study/Mitigated Negative Declaration, no further response is necessary.

Comments #2 – Alameda County Transportation Commission (Letter dated November 22, 2017)



1111 Broadway, Suite 800, Oakland, CA 94607 • 510.208.7400 • www.AlamedaCTC.org

2

November 22, 2017

Bill Roth
Associate Planner
Planning Division
City of Fremont
39550 Liberty St.
P.O. Box 5006
Fremont, CA 94538

SUBJECT: Response to the Mitigated Negative Declaration for the Centerville Pioneer in Fremont

Dear Mr. Roth,

Thank you for the opportunity to comment on the Mitigated Negative Declaration (MND) for the Centerville Pioneer in Fremont. The project site is located within the grounds of the Centerville Pioneer Cemetery and will include eight new attached townhouses on a 0.4-acre site. The project includes a General Plan Amendment from Open Space General and Town Center – Commercial to Medium Density Residential, which will increase the allowed density on the site from 14.6 units per acre to 29.9 units per acre.

We have reviewed the project and determined that it is exempt from review under the Congestion Management Program Land Use Analysis Program as it will not generate 100 p.m. peak hour trips in excess of trip generation from existing land use designations.

Thank you for the opportunity to comment on this MND. Please contact me at (510) 208-7426 or Chris G. Marks, Associate Transportation Planner, at (510) 208-7453, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Saravana Suthanthira". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Saravana Suthanthira
Principal Transportation Planner

cc: Chris G. Marks, Associate Transportation Planner

Response to Comment 2: Thank you for providing comments on the Initial Study and Mitigated Negative Declaration. As noted, the project will not generate 100 p.m. peak hour trips in excess of trip generation from the existing land use designation and is, therefore, exempt from review under the Congestion Management Program Land Use Analysis Program.

Comments #3 – Fremont Unified School District (Letter dated November 29, 2017)



FREMONT UNIFIED
SCHOOL DISTRICT

4210 Technology Drive
P.O. Box 5008
Fremont, CA 94538
(510) 657-2350
www.fremont.k12.ca.us

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November 29, 2017

Bill Roth, Project Planner
City of Fremont Planning Department
39550 Liberty Street
Fremont, CA 94537-5006

Re: PLN2017-00228
Centerville Pioneer

Dear Mr. Roth,
I am writing in response to your memorandum requesting comment on the Centerville Pioneer development located at 37218 Fremont Boulevard. We previously sent a letter on February 23, 2017. This will add 8 residential units.

Fremont Unified School District is continuing to assess the extent of the impact, but we wish to go on record at this time as stating our concerns about the potential impact on Fremont schools of the proposed housing. The FUSD schools in the community are already severely overcrowded.

Please feel to contact me if you need further information.

Sincerely,

Therese Gain, Director
Facilities

cc: J. Minot
R. Parungao
A. Bishop

Response to Comment 3: Under California law, the School District can require payment by a developer of school impact fees associated with a proposed development to mitigate any impact that such development would have on the facilities of the local school district. Proof of payment of all required school impact fees to Fremont Unified School District (FUSD) must be provided to the City before issuance of a building permit for the proposed project, as a standard project requirement. In conformance with the City's General Plan Public Facilities Policy 9-9.1: Inform FUSD of Development Plans, the City has coordinated with FUSD so that the District Board and staff are aware of development plans and can plan for facility needs accordingly. As such, the proposed project would have a less than significant impact on schools.

Comments #4 – Alameda County Water District (Letter dated December 4, 2017)



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DIRECTORS
AZIZ AKBARI
JAMES G. GUNTHER
JUDY C. HUANG
PAUL SETHY
JOHN H. WEED

43885 SOUTH GRIMMER BOULEVARD • FREMONT, CALIFORNIA 94538
(510) 668-4200 • FAX (510) 770-1793 • www.acwd.org

MANAGEMENT
ROBERT SHAVER
General Manager
STEVEN D. INN
Water Resources
STEVE PETERSON
Operations and Maintenance
ED STEVENSON
Engineering and Technology Services
JONATHAN WUNDERLICH
Finance

December 4, 2017

Bill Roth
Associate Planner – Current Development
City of Fremont, Planning Division
39550 Liberty Street
Fremont, CA 94537

Dear Mr. Roth:

Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for the Centerville Pioneer Project

The Alameda County Water District (ACWD) wishes to thank you for the opportunity to comment on the Notice of Intent to Adopt a Mitigated Negative Declaration (MND) for the Centerville Pioneer Project (Project).

ACWD staff has reviewed the Notice of Intent to Adopt a Mitigated Negative Declaration and offers the following comments for your consideration:

1. Hazards and Hazardous Materials: Reference is made to Section VIII Hazards and Hazardous Materials (pages 39-43). The Initial Study identifies the presence of hazards and hazardous materials, including lead and arsenic, in the upper approximately 1 to 2 feet of soil at levels exceeding regulatory screening levels for residential land use within the project area. The ability to install a public water system within the project area and/or water services would be conditioned upon confirmation that the soil does not pose a risk to health and safety of workers either during installation of the public water system and/or water services or during long-term operation and maintenance of such a system. Any mitigation required to eliminate such hazards or potential hazards, such that the soil does not pose a risk to the health and safety of workers during installation, and during long-term routine operation and maintenance of utility systems, must be identified and described. The proposed mitigation should not rely on extraordinary measures by the utility to protect worker health and safety, such as unusual personal protective equipment, special worker training, unusual soil treatment or disposal requirements, or decontamination of tools and equipment required for potable water system maintenance. If specific measures are to be identified in a Risk Management Plan, the project proponent should require ACWD approval of the plan as part of the mitigation.

The Phase I Environmental Site Assessment and Limited Soil Quality Evaluation reports prepared by Cornerstone Earth Group in 2017 recommends that a Soil Management Plan (SMP) be developed that provides guidelines for the appropriate handling and management of this soil and removal of soil that exceeds residential screening levels or background levels. ACWD concurs with the recommendation and all the excavation activities will need to be coordinated with ACWD and requests that the project proponents provide ACWD a copy of Cornerstone Earth Group's 2017, Phase I Environmental Site Assessment and Limited Soil Quality Evaluation reports.

Response to Comment 4.1: The project applicant shall comply with the Mitigation Measures adopted for the project, which will also be included as Conditions of Approval. This includes Mitigation Measure Haz-1a, which requires preparation of a Soil Management Plan to provide guidelines for appropriate handling and management of known contaminants and REC concentrations above residential screening levels. The Mitigation Measure also requires that, prior to issuance of any building and/or grading permits, soil remediation work to remove contaminants shall be implemented to the satisfaction of *the Alameda County Water District (ACWD)*, and any other appropriate agency having jurisdiction. Any Risk Management Plan developed for the project involving work in coordination or under the oversight of ACWD shall be provided to ACWD for review and subject to ACWD approval. This requirement shall be added to the mitigation measures and added as a Condition of Approval for the project.

Copies of the Phase 1 Environmental Site Assessment (January 23, 2017) as well as the Geotechnical Feasibility Study letter (January 27, 2017) and the Limited Soil Quality Evaluation letter (April 10, 2017) have been provided to Alameda County Water District (ACWD), as requested.

MM Haz-1a. Soil Management Plan

A Soil Management Plan (SMP) shall be developed to provide guidelines for the appropriate handling and management of soil with known contaminants or Recognized Environmental Conditions (RECs) concentrations above the residential screening levels recommended in the California Department of Toxic Substances Control (DTSC) Office of Human and Ecological Risk (HERO) guidance document Human Health Risk Assessment Note 3 (2016).

Prior to issuance of building and/or grading permits for site development, remediation work to remove known contaminants or RECs at the subject property shall be implemented to the satisfaction of the Alameda County Water District (ACWD), City of Fremont Fire Department, California Department of Toxic Substance Control (DTSC), or other appropriate agency having jurisdiction, depending on the location (e.g., depth) and the type of REC found

and the jurisdictional purview of the agencies. Completion of the remediation work and procurement of an appropriate closure document or written statement that the remediation work has been satisfactorily completed and without further conditions or obligations shall be submitted to the satisfaction of the City of Fremont Community Development Department. Compliance with this mitigation may require the applicant or their agent to complete a Preliminary Endangerment Report, Voluntary Cleanup Agreement or other documentation as determined by the appropriate agency, and receive concurrence that the site's RECs have been resolved.

Any Risk Management Plan developed for the project involving work in coordination or under the oversight of ACWD shall be provided to ACWD for review and subject to ACWD approval.

2. Utilities and Services:

- a. The public water services must be designed per the District's *Standard Specifications for Water Main Installation* (Standard Specifications) and *Development Specifications for Public Water System Extensions* (Development Specifications).
 - b. The project proponent should contact ACWD's Engineering Department regarding new water service to the property and any modifications of existing water facilities that are required. Any existing water services which will not be used in the new development must be removed by ACWD.
 - c. If the project requires extensive grading or construction in the vicinity of existing public water meters, project proponents should contact ACWD at least 60 days prior to any construction work to request that existing water meters be disconnected or removed in order to protect ACWD's distribution system from activities related to the grading or construction.
 - d. Particular attention should be paid to any proposed work underneath existing District ACP water mains fronting the project site. ACWD has an existing 14 inch ACP water main located within Bonde Way. No excavations or crossings under the ACP are allowed. If utility installations below the ACP are required for the project, the District may replace a portion of the existing main with PVC or steel pipe. Such replacement must be done by District forces at the developer's expense.
3. ACWD Contacts: The following ACWD contact is provided so that the City can coordinate with ACWD as needed during the CEQA process:
- Juniet Rotter, Development Services Supervisor, at (510) 668-4472, or by email at juniet.rotter@acwd.com, for coordination regarding public water systems and water service.

City of Fremont
December 4, 2017
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Again, thank you for the opportunity to comment on the Notice of Intent to Adopt a Mitigated Negative Declaration for the Centerville Pioneer Project.

Sincerely,



Ed Stevenson
Manager of Engineering and Technology Services

jr/cs
By Email
cc: Juniet Rotter, ACWD

Response to Comment 4.2: The letter from ACWD has been shared with the project's engineer and the City's engineer to facilitate coordination with ACWD.